

1 **SENATE FLOOR VERSION**

2 April 12, 2017

3 **AS AMENDED**

4 ENGROSSED HOUSE

5 BILL NO. 1374

6 By: Watson of the House

7 and

8 Holt of the Senate

9 **[cities and towns - Oklahoma Public Safety**
10 **Protection District Act - a resolution be submitted**
11 **to the registered voters of the municipality -**
12 **codification - effective date]**

13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified
15 in the Oklahoma Statutes as Section 29-151 of Title 11, unless there
16 is created a duplication in numbering, reads as follows:

17 This act shall be known and may be cited as the "Oklahoma Public
18 Safety Protection District Act".

19 SECTION 2. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 29-152 of Title 11, unless there
21 is created a duplication in numbering, reads as follows:

22 The governing body of a municipality may initiate the creation
23 of a public safety protection district by the adoption of a
24 resolution calling for the question to be placed before the
registered voters of the municipality of whether to organize a

1 public safety protection district. The resolution shall be
2 submitted to the registered voters of the municipality at the next
3 general election. When a district is organized, it shall have the
4 powers conferred by the Oklahoma Public Safety Protection District
5 Act.

6 SECTION 3. NEW LAW A new section of law to be codified
7 in the Oklahoma Statutes as Section 29-153 of Title 11, unless there
8 is created a duplication in numbering, reads as follows:

9 A. A public safety protection district shall include all
10 territory located within the municipality.

11 B. Management of the public safety protection district, as well
12 as management of any employee hired from district funds, shall be
13 vested within the existing administration of the municipal
14 government that created the district.

15 C. Budgetary oversight shall be vested within the existing
16 legislative body of the municipal government that created the
17 district.

18 D. A public safety protection district created pursuant to this
19 act shall be deemed a political subdivision of this state.

20 SECTION 4. NEW LAW A new section of law to be codified
21 in the Oklahoma Statutes as Section 29-154 of Title 11, unless there
22 is created a duplication in numbering, reads as follows:

23

24

1 A. The costs of an election to establish a district shall be
2 paid by the municipality in the proportions determined by the county
3 election board conducting the special election.

4 B. The election to determine whether a district shall be
5 established, and the notice thereof, shall be conducted in the same
6 manner as other municipal questions which are submitted to the
7 electorate of the municipality. The notice shall require the
8 registered voters of the municipality to cast ballots which contain
9 the words: "Public Safety Protection District - Yes" and "Public
10 Safety Protection District - No" or words equivalent thereto. All
11 residents of the municipality who are qualified electors shall be
12 qualified to vote on the proposition. The public safety protection
13 district election shall be conducted in accordance with the general
14 election laws of the state, and the regular election officials shall
15 be in charge at the usual polling place of each regular precinct, or
16 part of a precinct, which shall include lands within the boundaries
17 of the municipality.

18 SECTION 5. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 29-155 of Title 11, unless there
20 is created a duplication in numbering, reads as follows:

21 If the certified election results show that a majority of all
22 the votes cast are "Public Safety Protection District - Yes", the
23 governing body of the municipality shall, by adoption of an
24 ordinance or resolution or both an ordinance and resolution, declare

1 the public safety protection district established. Any ordinances
2 or resolutions establishing a public safety protection district
3 shall be filed in the office of the county clerk in the county.

4 SECTION 6. NEW LAW A new section of law to be codified
5 in the Oklahoma Statutes as Section 29-156 of Title 11, unless there
6 is created a duplication in numbering, reads as follows:

7 A. There shall be levied an annual assessment no greater than
8 five (5) mills on the dollar of assessed value of the types of
9 property in the district as provided in paragraphs 1, 2 and 3 of
10 subsection A of Section 2803 of Title 68 of the Oklahoma Statutes,
11 the proceeds of which shall be used for the operation and
12 maintenance of the public safety protection district, including
13 expenses related to purchasing and maintaining public safety
14 equipment and payment of salaries and benefits of the city employees
15 who provide law enforcement or fire protection public safety
16 services or both law enforcement and fire protection services within
17 the district, and costs assessed for housing prisoners of the
18 municipality in the county jail. Such proceeds may also be used for
19 payment of any costs related to fire and police operations and jail
20 operations. Such assessment shall only be levied on the types of
21 property located in the district as provided in paragraphs 1, 2 and
22 3 of subsection A of Section 2803 of Title 68 of the Oklahoma
23 Statutes.

24

1 B. The annual assessment provided in subsection A of this
2 section shall not apply to real property zoned for agricultural or
3 industrial land use, livestock employed in support of the family and
4 personal property owned by for-profit business entities.

5 SECTION 7. NEW LAW A new section of law to be codified
6 in the Oklahoma Statutes as Section 29-157 of Title 11, unless there
7 is created a duplication in numbering, reads as follows:

8 Every assessment levied under the authority of the Oklahoma
9 Public Safety Protection District Act shall be a lien against the
10 tract of land on which it has been levied, until paid, and the lien
11 shall be coequal with the lien of ad valorem and other taxes,
12 including special assessments, and prior and superior to all other
13 liens, and the assessment shall draw interest and shall be collected
14 in the same manner as ad valorem taxes.

15 SECTION 8. NEW LAW A new section of law to be codified
16 in the Oklahoma Statutes as Section 29-158 of Title 11, unless there
17 is created a duplication in numbering, reads as follows:

18 The county assessor shall compute and enter in respective
19 columns of the tax rolls the respective sums in dollars and cents to
20 be paid on each piece of property therein enumerated. The county
21 clerk shall certify to the county treasurer in the county where the
22 district or any part thereof is located the amount of assessment in
23 each fund levied upon each tract. The county treasurer shall enter
24 the amount of each in separate columns of the tax list of the

1 county. The assessments shall be collected by the county treasurer
2 at the same time and in the same manner as all other taxes are
3 collected in this state. Costs associated with the collection of
4 the assessments incurred by the county treasurer shall be paid from
5 the proceeds of the district. If any assessment becomes delinquent,
6 it shall draw interest as a penalty after delinquency at the rate of
7 eighteen percent (18%) per annum. All assessments and penalties
8 collected or received by the county treasurer pursuant to the
9 Oklahoma Public Safety Protection District Act shall be paid to the
10 municipal treasurers in their proportionate amounts for the benefit
11 of the public safety protection district.

12 SECTION 9. NEW LAW A new section of law to be codified
13 in the Oklahoma Statutes as Section 29-159 of Title 11, unless there
14 is created a duplication in numbering, reads as follows:

15 A public safety protection district may be dissolved by a
16 majority vote of the registered voters at an election called for
17 that purpose by the governing body of the municipality.

18 SECTION 10. NEW LAW A new section of law to be codified
19 in the Oklahoma Statutes as Section 29-160 of Title 11, unless there
20 is created a duplication in numbering, reads as follows:

21 As used in the Oklahoma Public Safety Protection District Act,
22 "public safety protection" means the operations of law enforcement
23 or fire public safety protections or both law enforcement and fire
24 public safety protections in and for the municipality. Such

1 operations shall also include the housing of prisoners of the
2 municipality in the county jail, and emergency medical services
3 provided by the municipal fire department.

4 SECTION 11. This act shall become effective November 1, 2017.

5 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS
6 April 12, 2017 - DO PASS AS AMENDED
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24